

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

BARRY L. RECTOR,

Plaintiff,

v.

3:05-cv-192

WARDEN JACK MORGAN, et al.,

Defendants.

JUDGMENT ORDER

In accordance with the accompanying Memorandum Opinion, the defendants' motion to dismiss is **GRANTED**. This action is **DISMISSED WITHOUT PREJUDICE** for failure to exhaust administrative remedies. The court **CERTIFIES** that any appeal from this action would not be taken in good faith and would be totally frivolous.

E N T E R:

s/ Thomas W. Phillips
United States District Judge